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Congress of the United States

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COMMITTEE ON THE JUDICIARY

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November 12, 2003

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The Honorable F. James Sensenbrenner, Jr.
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

We write to respectfully request that our Committee hold hearings concerning the "Gold Train" case, a case involving Hungarian Holocaust survivors and their families. Among other things, we believe hearings would be very useful in exploring the Department's handling of this case as well as the need for further congressional involvement.

The Gold Train is one of the lingering injustices arising from the aftermath of World War II. In 1944, the Nazis systematically stole the property of Hungary's Jewish community, and loaded the loot onto a train. After the war's end, the train fell into the hands of the U.S. Army, which promised to return the property to its rightful owners. Instead, the Army allowed widespread looting of the train's contents, even by senior military officers. Ultimately many goods were turned over to refugee organizations who sold them off at auction. All the while our government lied to the Hungarian Jews who were seeking their precious family property – and who were forced to start new lives over. As detailed in a recent article in *The Hill*, concern over this matter has been expressed by both Senators and House Members on both sides of the aisle. "Lawmakers Angry over slow track of 'Gold Train' Case." Nov. 12, 2003.

Currently the Hungarian Jews are seeking compensation for the property that was mishandled, misappropriated and lost by the U.S. government. Their case, filed in U.S. District Court in Florida (*Rosner v. United States*), is proceeding. The plaintiffs have uncovered thousands of documents long-buried in archives that detail the level of misconduct by U.S. officials a half century ago. A judge has already rejected the immunity claims made by the

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government. It appears, however, that the Justice Department is using hardball litigation tactics to seek to frustrate the claims of these elderly survivors. The judge in the case has already warned that DOJ appears to be "dragging its feet." That is rarely excusable in everyday litigation, and especially inexcusable when the plaintiffs are elderly and are simply seeking a measure of historic justice.

Our nation has long been strongest when we stand up for the high ideals we ourselves urge on the world. We have insisted that every other nation face up to its duties to those who suffered in World War II. When we ourselves refuse to face up to our own responsibility to those same people, we cast away our own moral strength. We therefore urge the Committee to hold hearings on the case of the Hungarian Gold Train.

Sincerely,

John Longers Jr.

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